



12/ Notice
Appeal: #
6/23/03
Hayes
PATENT

ATTORNEY DOCKET NO.: 046124-5092

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Masayuki HIRANO et al.) Confirmation No.: 7669
)
Application No.: 09/943,085) Group Art Unit: 2871
)
Filed: August 31, 2001) Examiner: G. Wang
)
For: X-RAY GENERATING APPARATUS,)
X-RAY IMAGING APPARATUS, AND)
X-RAY INSPECTION SYSTEM)

Commissioner of Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop AF**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

TECHNOLOGY CENTER 2800

JUN 18 2003

Sir:

**NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated December 16, 2002, finally rejecting claims 1 and 3-5.

1. Extension of Time
☒ The Commissioner is authorized to charge a three-month extension of time fee of **\$930.00** to Deposit Account No. 50-0310.
2. Notice of Appeal Fee - 37 C.F.R. § 1.17(b)
☐ The fee in the amount of \$320.00 to cover the appeal fee is enclosed.
☒ The Commissioner is authorized to charge the appeal fee of **\$320.00** to Deposit Account No. 50-0310.

CONFIDENTIAL COMMUNICATION

Mr. Minoru Enomoto

June 16, 2003

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3. Fee Payment

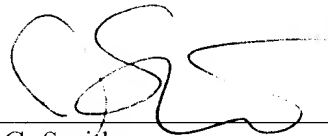
- ☒ The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 in the amount of **\$1,250.00**, representing \$320.00 for the Notice of Appeal fee and \$930.00 for the three-month extension-of-time fee.

4. Constructive Petition

- [X] **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



John G. Smith
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Dated: June 16, 2003

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